

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Criminal Action 20-cr-10197-LTS
)
)
DARIUS BASS)
Defendant)

MOTION TO SUPPRESS EVIDENCE
(SEARCH WARRANT HOME)
AND REQUEST FOR HEARING

Now comes the defendant in the above captioned matter and moves to suppress all evidence seized as a result of the search warrant issued for 20 Humphreys Street, Apartment 3, Dorchester, MA and Darius Bass as well suppressing all evidence flowing from the search occurring on May 11, 2020. The defendant further moves that all evidence derived therefrom should be suppressed as fruits of the poisonous tree.

As reasons therefore the defendant submits:

The warrant application did not demonstrate probable cause to believe that evidence of crimes would be found within the home, curtilage or on the person of the defendant; the warrant was stale; the training and experience of the affiant was not a substitute for wrongdoing; information obtained through illegal search is contained therein, no knock warrant and any person present were not supported by probable cause; and the good faith exception does not apply.

The Defendant submits that all property seized by law enforcement was obtained in violation of his right to be secure from unreasonable searches and seizures as guaranteed by the Fourth and Fourteenth Amendment to the United States Constitution and therefore it must be suppressed or excluded as evidence in the trial of the above entitled matter. See also *Wong Sun v. United States*, 371 US 471, 486 (1963).

For the reasons stated in the accompanying affidavit and memorandum and incorporated by reference herein, the defendant requests an evidentiary hearing on this motion.

Respectfully submitted,
DARIUS BASS
By his attorney,

/s/ Joan M. Fund
Joan M. Fund, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Joan M. Fund
Joan M. Fund, Esquire

Date: February 3, 2022